

48 DAC 11615
Atty. Dkt. No. 036481-0128

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven J. PRESTRELSKI et al.

Title: Microparticle Formulations for
Sustained-Release of Bioactive
Compounds

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FEB 17 2004

OFFICE OF PETITIONS

Appl. No.: 09/521,139

Filing Date: 3/8/2000

Examiner: Humeran Sheikh

Art Unit: 1615

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on December 23, 2002, which set a three-month period for response.

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Required reply and/or fee;
 - (2) Petition fee (37 C.F.R. § 1.17(m));
 - (3) Statement that the abandonment was unintentional; and
 - (4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).
-
- (1) Required reply and/or fee.

The proposed reply for the above-noted Office Action is enclosed herewith.

- (2) Petition fee (37 C.F.R. § 1.17(m))

02/17/2004 AKQND AF1 00000043 09521139

01 FC:1453

1330.00 OP

A check in the amount of \$1,330.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

(3) Statement that the abandonment was unintentional.

Applicant hereby states that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition, was unintentional.


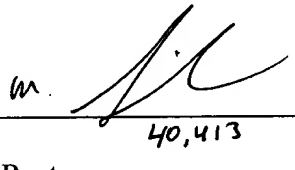
(4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date 12 February 2004

FOLEY & LARDNER
Customer Number: 27476
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By  
40,413
Richard Peet
Registration No. 35,792
Michelle Walters
Registration No. 51,113
Attorneys for Applicant